IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No.27569 of 1996

Between:

P.Indrakaran Reddy,

S/o. Venkat Reddy,

Public Prosecutor,

District & Sessions Court,
R/o Nizamabad.

..... PETITIONER

AND

1 The Govt. of A.P., rep.by its Secretary (Home)
Secretariat, Hyderabad
2 The Dist. Magistrate & Collector
Nizamabad.
3 The Dist. & Sessions Judge, Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue a writ, order or direction more in the nature of mandamus directing the first respondent to consider the panel which was sent by the 2nd respondent in consultation with the 3rd respondent in the month of August.1995 for making appointment to the post of Public Prosecutor for the Dist. & Sessions Court, Nizamabad on merits by duly declaring the action of the Govt. i.e., returning /rejection of the panel and calling for a fresh panel by the Govt. in the Month of Sep.1996 which was sent by the Dist. Magistrate after due consultation with the Dist. & Sessions Judge, Nizamabad in the month of Aug.1995 without any valid reasons and also sending a fresh panel of nine names by the second respondent is nothing but arbitrary, illegal, and violative of Art.14 and 16 of the Constitution of India as well as contrary to the provisions of Sec.24 of Crl.Procedure Code and also the GO.Ms.No.57, Law Dept., Dt.16/03/1990.

Counsel for the Petitioner : Sri V.RAVI KIRAN RAO

Counsel for the Respondent No.1 & 2: Govt. Pleader for Home

Counsel for the Respondent No.3 :Smt. M.Bhaskara Lakshmi

Standing counsel for A.P.High Court

The Court made the following :

ORDER: (Per Hon'ble the Chief Justice)

As per note of the Registry, writ petition has been rendered infructuous because of subsequent events. Therefore, we proceed to dismiss the writ petition as infructuous with liberty reserved to the petitioner to avail remedy in accordance with law in case he is aggrieved that the writ petition has not been rendered infructuous.

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DEVINDER GUPTA, C.J.

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C.V.RAMULU, J

01-10-2004

bsc

To

1 The Secretary (Home),

Govt. of A.P.,
Secretariat, Hyderabad
2 The Dist. Magistrate & Collector
Nizamabad.
3 The Dist. & Sessions Judge, Nizamabad.

4. The officer concerned, Legal Cell, High Court of A.P., Hyderabad.

5. 2 CCs to Govt. Pleader for Home, High Court buildings, Hyderabad

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